

10/718,729  
PCT

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q78586

Toru MATSUMOTO

Group Art Unit: 1645

Appln. No.: 10/718,729

Examiner: Unknown

Confirmation No.: Unknown

Filed: November 24, 2003

For: ENZYME ELECTRODE AND PROCESS FOR MANUFACTURING THE SAME  
**SUBMISSION UNDER 37 C.F.R. § 1.497(d) OF NEW OATH OR DECLARATION IN  
NATIONAL STAGE APPLICATION FILED PURSUANT TO 35 U.S.C. § 371**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The oath or declaration being filed herewith pursuant to 35 U.S.C. § 371(c)(4) and 37 C.F.R. § 1.497;

- a. names an inventive entity different from the inventive entity set forth in the international application, or
- b. names the same inventive entity as that of the international application due to a change effected in the international application under PCT Rule 92<sup>bis</sup> subsequent to the execution of any oath or declaration that was filed in the international application under PCT Rule 4.17(iv) or under 37 C.F.R. § 1.497 and the inventive entity thus changed is different from the inventive entity identified in any such oath or declaration.

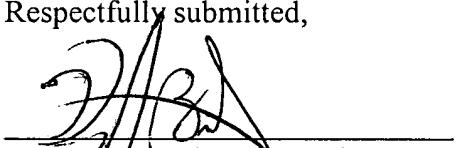
Accordingly, submitted herewith are the following, as required by 37 C.F.R. § 1.497(d):

SUBMISSION UNDER 37 C.F.R. § 1.497(d) OF NEW OATH OR DECLARATION IN  
NATIONAL STAGE APPLICATION FILED PURSUANT TO 35 U.S.C. § 371  
Application No. 10/718,729

1. A statement from each person being added as an inventor and from each person being deleted as an inventor that any error in the inventorship in the international application occurred without deceptive intention on his or her part;
2. A new oath or declaration;
3. If an assignment has been executed by any of the original named inventors, the written consent of the assignee; and
4. The processing fee of \$130.00 set forth in 37 C.F.R. § 1.17(i).

A check for the processing fee of \$130.00 is attached. The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this sheet is enclosed.

Respectfully submitted,



Howard L. Bernstein  
Registration No. 25,665

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE  
23373  
CUSTOMER NUMBER

Date: April 6, 2005

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q78586

Toru MATSUMOTO

Group Art Unit: 1645

Appln. No.: 10/718,729

Examiner: Unknown

Confirmation No.: 1837

Filed: November 24, 2003

For: ENZYME ELECTRODE AND PROCESS FOR MANUFACTURING THE SAME

**STATEMENT OF ADDED/OR DELETED INVENTORS IN SUPPORT OF  
SUBMISSION UNDER 37 C.F.R. § 1.497(d) OF NEW OATH OR DECLARATION IN  
NATIONAL STAGE APPLICATION FILED PURSUANT TO 35 U.S.C. § 371**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

We the inventors being added to the above-identified application , do hereby declare that any error in inventorship in the international application occurred without any deceptive intention on my/our part.

Name of 1<sup>st</sup> Added/Deleted Inventor Satoshi IKEDA      Added  Deleted

Signature Satoshi Ikeda

Date Feb. 28, 2005

Name of 2<sup>nd</sup> Added/Deleted Inventor Soichi SAITO      Added  Deleted

Signature Soichi Saito

Date Mar. 7, 2005

**DECLARATION AND POWER OF ATTORNEY FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)**

As a below named inventor, I hereby declare that: My residence, mailing address, and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**ENZYME ELECTRODE AND PROCESS FOR MANUFACTURING THE SAME**

the application of which

is attached hereto

OR

was filed on November 24, 2003 as United States Application Number or PCT International Application Number 10/718,729 (Confirmation No. 1837), and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part application(s), material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application(s) which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application(s) having a filing date before that of the application on which priority is claimed.

Prior Application Number(s)	Country	Filing Date	Priority Claimed Yes	No
2001-223614	Japan	July 24, 2001	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2001-237180	Japan	August 3, 2001	<input checked="" type="checkbox"/>	<input type="checkbox"/>

I hereby claim benefit under 35 United States Code §119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date
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I hereby claim benefit under 35 United States Code §120 of any United States application(s) or §365(c) of any PCT International application(s) designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in a listed prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge my duty to disclose any information material to the patentability of this application as defined in 37 C.F.R. 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Prior U.S. or International Application Number(s)	U.S. or International Filing Date	Status
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I hereby appoint all attorneys of **SUGHRUE MION, PLLC** who are listed under the USPTO Customer Number shown below as my attorneys to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, recognizing that the specific attorneys listed under that Customer Number may be changed from time to time at the sole discretion of Sughrue Mion, PLLC, and request that all correspondence about the application be addressed to the address filed under the same USPTO Customer Number.

WASHINGTON OFFICE  
**23373**  
CUSTOMER NUMBER

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:			
Given Name (first and middle [if any]) Satoshi		Family Name or Surname IKEDA	
Inventor's Signature	Satoshi Ikeda		Date Feb, 28, 2005
Residence: City Tokyo	State	Country Japan	Citizenship Japanese
Mailing Address: c/o Tama Electric Co.,Ltd., 2-15-12, Nakane			
City Meguro-ku	State Tokyo	Zip	Country Japan
NAME OF SECOND INVENTOR:			
Given Name (first and middle [if any]) Soichi		Family Name or Surname SAITO	
Inventor's Signature	Soichi Saito		Date Mar. 7, 2005
Residence: City Tokyo	State	Country Japan	Citizenship Japanese
Mailing Address: c/o Tama Electric Co.,Ltd., 2-15-12, Nakane			
City Meguro-ku	State Tokyo	Zip	Country Japan

## Assignment

Whereas, We, Satoshi IKEDA and Soichi SAITO of Tokyo, Japan, hereinafter called assignors, have invented certain improvements in ENZYME ELECTRODE AND PROCESS FOR MANUFACTURING THE SAME and executed an application for Letters Patent of the United States of America therefor on \_\_\_\_\_; and

Whereas, NEC CORPORATION, 7-1, Shiba 5-chome, Minato-ku, Tokyo, JAPAN (assignee), desires to acquire the entire right, title, and interest in the application and invention, and to any United States patents to be obtained therefor;

Now therefore, for valuable consideration, receipt whereof is hereby acknowledged,

We, the above named assignors, hereby sell, assign and transfer to the above named assignee, its successors and assigns, the entire right, title and interest in the application and the invention disclosed therein for the United States of America, including the right to claim priority under 35 U.S.C. §119, and we request the Director of the U.S. Patent and Trademark Office to issue any Letters Patent granted upon the invention set forth in the application to the assignee, its successors and assigns; and we will execute without further consideration all papers deemed necessary by the assignee in connection with the United States application when called upon to do so by the assignee.

We hereby authorize and request our attorneys SUGHRUE MION, PLLC of 2100 Pennsylvania Avenue, NW, Washington, DC 20037-3213 to insert here in parentheses (Application number 10/718,729 and Confirmation number 1837, filed November 24, 2003) the application number and filing date of said application when known.

Date: Feb. 28, 2005 Satoshi Ikeda  
s/Satoshi IKEDA

Date: Mar. 7. 2005 Soichi Saito  
s/ Soichi SAITO

(Legalization not required for recording but is prima facie evidence of execution under 35 U.S.C. §261)

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Filed: November 24, 2003

For: ENZYME ELECTRODE AND PROCESS FOR MANUFACTURING THE SAME  
**CONSENT OF THE ASSIGNEE TO CORRECTION OF INVENTORSHIP IN  
ACCORDANCE WITH 37 C.F.R. § 1.497(d)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

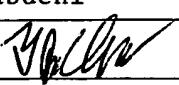
Sir:

The undersigned, a representative of TANITA Corporation, represents that TANITA Corporation is 50% owner of the entire right, title and interest of Application No. 10/718,729, filed on November 24, 2003 for ENZYME ELECTRODE AND PROCESS FOR MANUFACTURING THE SAME by virtue of an Assignment from the original Assignee (NEC Corporation) executed on November 11, 2004, recorded on January 4, 2005 at Reel No. 015512, Frame 0374.

The undersigned hereby certifies that the above-mentioned Assignment has been reviewed and to the best of the undersigned's knowledge and belief, title is in who is seeking to take this action.

The undersigned (whose title is supplied below) is empowered to sign this consent statement on behalf of the assignee.

TANITA Corporation, hereby consents to the correction of inventorship in connection with the above-identified application whereby the names of Satoshi IKEDA and Soichi SAITO are added as co-inventors.

Name	<u>Tamotsu Iwabuchi</u>	Title	<u>General Manager, Intellectual Property Department</u>
Signature	<u></u>		
Date	<u>Feb. 28, 2005</u>		

**PATENT APPLICATION**

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**CONSENT OF THE ASSIGNEE TO CORRECTION OF INVENTORSHIP IN  
ACCORDANCE WITH 37 C.F.R. § 1.497(d)**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

The undersigned, a representative of NEC Corporation, represents that NEC Corporation is 50% owner of the entire right, title and interest of Application No. 10/718,729, filed on November 24, 2003 for ENZYME ELECTRODE AND PROCESS FOR MANUFACTURING THE SAME by virtue of an Assignment from all of the inventors thereof executed on November 7, 2003, recorded on November 24, 2003 at Reel No. 014740, Frame 0540.

The undersigned hereby certifies that the above-mentioned Assignment has been reviewed and to the best of the undersigned's knowledge and belief, title is in who is seeking to take this action.

The undersigned (whose title is supplied below) is empowered to sign this consent statement on behalf of the assignee.

NEC Corporation, hereby consents to the correction of inventorship in connection with the above-identified application whereby the names of Satoshi IKEDA and Soichi SAITO are added as co-inventors.

Name Sachio Matsubara, Senior Manager,  
Name Sachio Matsubara, Planning Division

Senior Manager,  
Intellectual Asset Planning Division,  
Title Intellectual Asset Operations Unit

Signature Sachio Matsubara

Date March 7, 2005